

PO BOX 556
SPRINGTOWN, PA 18081
PHONE NO. 610-346-7112
FAX NO. 610-346-8189
EMAIL: WENDYKOBA@USA.NET

WENDY W. KOBA,
ESQ.

Fax

RECEIVED
CENTRAL FAX CENTER
FEB 28 2005

Company: USPTO

From: Wendy W. Koba

Attention: Melanie Jagannathan

Pages including cover sheet: 9

Fax No.: 703-872-9306

Date : 2/28/2005

Re: Serial No. 10/748,378

Urgent Please review Please Comment Please Reply For your information

Case Name: Chiussi 24-12

Serial Number: 10/748,378

Filing Date: December 30, 2003

Examiner: Melanie Jagannathan

Title: Method and Apparatus for Guaranteeing Data Transfer Rates and Delays in Data
Packet Networks Using Generalized Discrete Data Transfer Rate Approach

In response to a non-final office action dated November 30, 2004, attached please find the following:

1. Transmittal Form (1 page)
2. Certificate of Transmission under 37 CFR 1.8 (1 page)
3. Amendment (6 pages)

Respectfully submitted,

Wendy W. Koba, Esq.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|---------------------|
| Application Number | 10/748,378 |
| Filing Date | 12/30/2003 |
| First Named Inventor | Chiussi |
| Art Unit | 2666 |
| Examiner Name | Melanie Jagannathan |
| Attorney Docket Number | 24-12 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | 1. Fax Cover Sheet |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | 2. Cert. of transmission under 37 CFR 1.8 |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | 3. Claims As Amended |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|--------------------------------------|----------|-------|
| Firm Name | | | |
| Signature | Wendy W. Koba, Esq. Wendy W. Koba | | |
| Printed name | Wendy W. Koba | | |
| Date | 2/28/05 | Reg. No. | 30509 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|---------------|------|---------|
| Signature | Wendy W. Koba | | |
| Typed or printed name | Wendy W. Koba | Date | 2/28/05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on February 28, 2005
Date

Wendy W. Koba
Signature

Wendy W. Koba
Typed or printed name of person signing Certificate

30509
Registration Number, if applicable

610-346-7112
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Chiussi 24-12

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

**RECEIVED
CENTRAL FAX CENTER**

FEB 28 2005

Patent Application

Inventor(s) Fabio Massimo Chiussi
Andrea Francini

Case 24-12 **Conf. No.** 4391

Serial No. 10/748,378 **Group Art Unit** 2666

Filing Date December 30, 2003

Examiner M. Jagannathan

Title **Method and Apparatus for Guaranteeing Data Transfer Rates and
Delays in Data Packet Networks Using Generalized Discrete Data Transfer
Rate Approach**

**COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450**

SIR:

AMENDMENT

In response to an Office action dated November 30, 2004, please amend the
above-identified application as follows: